

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

In re: BAIR HUGGER FORCED AIR
WARMING DEVICES PRODUCTS
LIABILITY LITIGATION

MDL No. 15-2666 (JNE/FLN)

ORDER

Genevieve Zimmerman, for Plaintiffs.
Bridget Ahmann and Benjamin Hulse, for Defendants.

THIS MATTER came before the undersigned United States Magistrate Judge the parties' joint motions regarding continued sealing (ECF Nos. 1002, 1003, 1005, 1006, 1007, 1009, and 1010). By their joint motions, the parties agree that docket entries 882, 884, 885, 886, 889, 890, 892, 893, 897, 899, 902, 904, 781, 804, 814, 939, 941, 756, 761, 767, 769, 771, 772, 973, and 919 that were initially filed under a temporary seal pursuant to Local Rule 5.6(d)(1), should be unsealed. Accordingly, these documents will be unsealed. In addition, the parties agree that redactions to various docket entries should be unsealed: docket entry 948 at pp. 53–57, pp. 59–61, pp. 69–74, pp. 80–84, pp. 87–90, pp. 129–31, pp. 136, pp. 138–144, pp. 153, pp. 186–198, pp. 223–224, pp. 225–228, pp. 255–256, pp. 275–277, and pp. 277–283; docket entry 924 at pp. 53–57, pp. 59–61, pp. 69–74, pp. 80–84, pp. 87–90, pp. 129–31, pp. 136, pp. 138–144, pp. 153, pp. 186–198, pp. 223–224, pp. 225–228, pp. 255–256, pp. 275–277, and pp. 277–283; and docket entry 929 at pp. 19–20, pp. 22–26, pp. 31–32, pp. 42–43, pp. 45, pp. 47, pp. 49–50, pp. 51, pp. 52–54, pp. 54–65, pp. 66–71, pp. 75–78, pp. 80–81, pp. 89–98, pp. 100, pp. 102–114, pp. 116–117, pp. 128–135, pp. 146–148, pp. 175–177, pp. 188–195, and pp. 198–204. Accordingly, these redactions will be unsealed.

The parties disagree as to the propriety of maintaining the seal over a number of docket

entries and redactions. After reviewing these documents, the Court concludes that maintaining the seal over docket entries 891, 879, 881, 883, 887, 895, 900, 901, 903, 905, 780, 803, 789, 935, 938, 940, 943, 942, 944, 945, 866, 868, 918, 925, and 921 is warranted and these docket entries shall remain sealed. In addition, the Court concludes that the following redactions will remain sealed: docket entry 915 at pp. 47; docket entry 924 at pp. 93–94, pp. 96, pp. 98–100, pp. 245, and pp. 318–322; docket entry 929 at pp. 84–88, pp. 153–174, pp. 183–187, pp. 195–196; and docket entry 948 at pp. 93–94, pp. 96, pp. 98–100, pp. 245, and pp. 318–322. Conversely, the Court concludes that permanent sealing over several docket entries and redactions is not appropriate in this case. To that end, docket entries 937 and 916 will be unsealed, and redactions at docket entries 948 pp. 309; 915 at pp. 6; 924 at pp. 309; and 929 at pp. 142–145 will be unsealed.

Based upon all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that the parties' joint motions regarding continued sealing (ECF Nos. 1002, 1003, 1005 1006, 1007, 1009, and 1010) are **GRANTED in part** and **DENIED in part**. Docket entries 882, 884, 885, 886, 889, 890, 892, 893, 897, 899, 902, 904, 781, 804, 814, 939, 941, 756, 761, 767, 769, 771, 772, 973, 919, 937 and 916, identified in the joint motions, will be unsealed. In addition, the following redactions will be unsealed: docket entry 948 at pp. 53–57, pp. 59–61, pp. 69–74, pp. 80–84, pp. 87–90, pp. 129–31, pp. 136, 138–144, pp. 153, pp. 186–198, pp. 223–224, pp. 225–228, pp. 255–256, pp. 275–277, pp. 277–283; docket entry 924 at pp. 53–57, pp. 59–61, pp. 69–74, pp. 80–84, pp. 87–90, pp. 129–31, pp. 136, pp. 138–144, pp. 153, pp. 186–198, pp. 223–224, pp. 225–228, pp. 255–256, pp. 275–277, and pp. 277–283; docket entry 929 at pp. 19–20, pp. 22–26, pp. 31–32, pp. 42–43, pp. 45, pp. 47, pp. 49–50, pp. 51, pp. 52–54, pp. 54–65, pp. 66–71, pp. 75–78, pp. 80–81, pp. 89–98, pp. 100, pp. 102–114, pp. 116–117, pp. 128–135, pp. 146–148, pp. 175–177,

pp. 188–195, and pp. 198–204; docket entry 948 at pp. 309; docket entry 915 at pp. 6; docket entry 924 at pp. 309; and docket entry 929 at pp. 142–145, identified in the joint motion will be unsealed. Docket entries 891, 879, 881, 883, 887, 895, 900, 901, 903, 905, 780, 803, 789, 935, 938, 940, 943, 942, 944, 945, 866, 868, 918, 925, and 921 identified in the joint motions, shall remain sealed. In addition, the following redactions will remain sealed: docket entry 915 at pp. 47; docket entry 924 at pp. 93–94, pp. 96, pp. 98–100, pp. 245, pp. 318–322; docket entry 929 at pp. 84–88, pp. 153–174, pp. 183–187, and pp. 195–196; and docket entry 948 at pp. 93–94, pp. 96, pp. 98–100, pp. 245, and pp. 318–322. The parties are directed to file versions of docket entries 915, 924, 929, and 948, which eliminate the redactions in these docket entries that the Court concludes should be unsealed, consistent with this order.

DATED: March 23, 2018

S/Franklin Noel
FRANKLIN L. NOEL
United States Magistrate Judge